

Assembly Bill No. 719

CHAPTER 371

An act to add Section 18901.4 to the Welfare and Institutions Code, relating to public social services.

[Approved by Governor October 11, 2009. Filed with
Secretary of State October 11, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

AB 719, Bonnie Lowenthal. Transitional food stamps for foster youth.

Existing law declares the duty of the state to care for and protect the children that it places into foster care. Under existing law, the State Department of Social Services has various powers and duties relating to ensuring that the needs of foster children are met.

Existing law requires the State Department of Health Care Services, if, and to the extent that, all necessary federal approvals are obtained for federal financial participation, to implement a federal option to extend Medi-Cal benefits to independent foster care adolescents, as defined in federal law.

Existing law provides for the federal Supplemental Nutrition Assistance Program (SNAP) (formerly the Food Stamp Program), under which each county distributes nutrition assistance benefits to eligible households. The SNAP is administered at the state level by the State Department of Social Services.

This bill would require the department to propose a Transitional Food Stamps for Foster Youth demonstration project, effective July 1, 2010. The demonstration project would provide independent foster care adolescents, who are not eligible for CalWORKs or SSI benefits, with eligibility for food stamps without regard to income or resources.

This bill would require the department to implement its provisions by all-county letter or similar instructions, and would prescribe additional duties of the department in connection with the transitional food stamp demonstration project, including obtaining necessary federal approvals. This bill would be implemented only to the extent that federal financial participation is available.

By increasing county duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Foster youth who emancipate from foster care face a disproportionately higher rate of unemployment. Fifty-one percent of emancipated foster youth are unemployed within two to four years of emancipation.

(b) Fewer than four in 10 foster youth had at least two hundred fifty dollars (\$250) in cash upon emancipating.

(c) Forty-six percent of emancipated foster youth have not completed high school.

(d) Sixty-five percent of foster youth emancipate without a place to live.

(e) Forty percent of persons living in homeless shelters are former foster youth.

(f) Nearly 50 percent of emancipated foster youth suffer from chronic health conditions such as asthma, visual and auditory problems, dental decay, and malnutrition.

(g) Competing priorities for limited economic and social resources force emancipated foster youth who cannot meet their basic needs to prioritize their needs for food, housing, and health care.

SEC. 2. Section 18901.4 is added to the Welfare and Institutions Code, to read:

18901.4. (a) Effective July 1, 2010, the department shall propose a Transitional Food Stamps for Foster Youth demonstration project under which independent foster care adolescents, as defined in Section 1905(w)(1) of the federal Social Security Act (42 U.S.C. Sec. 1396d(w)(1)) who are not eligible for CalWORKs or Supplementary Security Income program benefits, shall be eligible without regard to income or resources, subject to federal law authorizing demonstration projects pursuant to Section 2011 and following of Title 7 of the United States Code.

(b) An individual eligible for the program proposed pursuant to this section shall receive the maximum benefit amount allotted for a household size of one for the initial certification period, which shall remain constant for the entirety of the initial certification period. The food stamp case shall be established and maintained in the county of jurisdiction designated by the terminating foster care case.

(c) The demonstration project proposed pursuant to this section shall maximize access to benefits and minimize interim reporting requirements during the certification period.

(d) Notwithstanding any other provision of law, Chapter 4.6 (commencing with Section 10830) of Part 2 of Division 9 shall not apply to individuals eligible under this section during the 12-month transitional food stamp demonstration project certification period.

(e) Not later than March 1, 2010, the department shall seek all necessary federal approvals to implement this section as a demonstration project for these beneficiaries. This section shall be implemented only to the extent that federal financial participation is available.

(f) The department shall implement this section by an all-county letter (ACL) or similar instruction from the director and shall adopt regulations as otherwise necessary to implement this section no later than January 1, 2011.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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